

**III. Remarks****(i) Response To Restriction Requirement**

In the Office Action, the Examiner issued a Restriction Requirement, and stated that restriction to one of the following inventions is required:

Group I: Claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratadine transdermally, and a transdermal delivery device containing loratadine classified in class 424, subclass 449.

Group II: Claims 17-19, drawn to method of lessening the incidence of side effects in a patient associated with oral administration of loratadine, classified in class 424, subclass 449.

In response, Applicants hereby elect, without traverse, Group I, claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratadine transdermally, and a transdermal delivery device containing loratadine classified in class 424, subclass 449.

**(ii) Response to Election Requirement**

In response to the election of species requirement under 35 U.S.C. 121, Applicants hereby elect without traverse the following patentably distinct species of the claimed invention:


dosing interval:	at least a 3-day dosing interval
the backing layer material:	flexible material $\alpha$ .33
polymer:	silicone $\alpha$ 3 5

34

This Response is being submitted within 2 (two) months from the mailing date of the Office Action, thus a 1 (one) month extension fee of \$110.00 is enclosed. If it is determined that any additional fees are due or if any fees have been overpaid, the Commissioner is specifically authorized to charge said fee to Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Robert J. Paradiso  
Reg. No. 41,240

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> floor  
New York, New York 10018  
(212) 736-1940